

MHKO010010072026

Cri.Bail.Application No.232/2026



Order below Exh.1

Applicant Yogiraj Vishal Bhosale and others are arrayed as accused in C. R. No.100/2026 at Shahupuri police station, Kolhapur on 07/02/2026 under sections 109, 352, 189(2), 189(4), 191(2), 191(3), 190 of the Bharatiya Nyaya Sanhita (corresponding to sections 307, 504, 143, 144, 147, 148, 149 of the Indian Penal Code), sections 5 & 27 of Arms Act and sections 3(2)(va), 3(1)(r), 3(1)(s) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities Act, 1989) (hereinafter Atrocity Act). The applicant has sought bail on the grounds mentioned in the application.

02. The application is opposed by the prosecution by filing say.

03. Notice was issued to the informant. In spite of its service he did not appear

04. It is the case of the prosecution that there was discord between informant Sanjay Khandu Waghmare and family of Siddharth Vijay Powar on the cause of Ganpati Festival. On 06-02-2026 at 12-15 p.m. Suraj was proceeding towards market on his motorcycle with his brother Raju with his brothers Raju and Sanju. When they reached at Dabhade's square, Siddharth Powar called him and said to set his house on fire. He said this by mentioning his caste. Siddharth was accompanied by Yogiraj (the applicant), Atharv and Parth were also with him. As the dispute escalated, Suraj and his

brothers left that place. While they were leaving, Siddharth said to see them in the evening. Suraj informed this incident to Abhijit Mane on his mobile and told him to give understanding to Siddharth. At 8-15 p.m. Abhijit called Suraj and said him to come at the square to resolve the dispute. Suraj went there with his brothers Raju and Sandip. Abhijit Mane, Vijay Powar, Siddharth Powar, Aditya Powar, Yogiraj Bhopale (the applicant), Atharv Kamble, Parth Shinde and others were present there. On seeing Suraj and his brothers, Vijay, Siddharth, Aditya, Yogiraj (the applicant), Atharv and Parth pounced at them. Vijay, Siddharth, Aditya and Yogiraj were having sword, knife, spade and iron rod in their hands. Vijay Powar hurled caste abuses and gave sword blow on the head of Suraj. Siddharth Powar gave knife blow on the right side of his neck. When he fell down, his brother Sandip came to rescue him. Sidharth, Aditya, Yogiraj(the applicant) and Atharv beat him by fists and kicks. Yogiraj(the applicant) gave iron rod blow on the head of Suraj's brother Raju. Dhanpal Mane rescued the informant and thereafter crime was registered against the applicants and others.

05. Learned advocate for the applicant submitted that informant Suraj has changed his stance during his supplementary statement and alleged against accused Siddharth that he used fists and kicks to beat him. He further submitted that the photographs placed on record show that after the incident informant Suraj went to the police station. No injury is finding on his person.

06. Learned A.P.P. opposed the application and stated that anti social offences are committed by the applicant. He does not deserve bail.

07. Applicant Yogiraj belongs to scheduled caste and this is evident from the copy of the caste certificate placed on record. Certainly, charges under S.C.S.T. Act do not attract against him.

08. The informant has alleged against the applicant in the F.I.R. that the applicant gave rod blow on the head of his brother Raju. Medico legal certificate of Raju shows that he sustained 1 x 0.5 x 0.5 c.m. contused lacerated wound over left side of occipital region. The medico legal certificate further shows that injured Raju absconded without taking suture. This indicates that Raju was not an indoor patient. It needs to observe here that witness Raju is out of danger. The applicant is of 18 years. No criminal antecedents are at his discredit. No case is made out to keep him in judicial custody for indefinite period. In the result, following order is passed.

**Order**

- 1 Application is allowed.
- 2 Applicant be released on bail on his furnishing a personal bond in sum of Rs.25,000/- and solvent surety in the like amount.
- 3 He shall not threaten the witnesses and tamper with the prosecution evidence.
- 4 He shall appear before the in-charge Police Station, as and when called for.
- 5 Applicant/accused to comply as per Chapter-I Para 12 of the Criminal Manual.

( D.V.Kashyap )

Date: 17/03/2026

Additional Sessions Judge, Kolhapur.